

REMARKS

The Examiner objected to the title, stating that it does not accurately describe the invention. Applicants have amended the title as suggested by the Examiner and request that the Examiner lift the objection to the title.

The Applicants acknowledge that previously withdrawn Claim 52 has been rejoined with the other apparatus claims in the application.

Claim 41 has been amended to replace the phrase “one or more” with the phrase “at least three,” and Claim 73 has been amended to replace the phrase “at least two” with the phrase “as least three.” Support for these amendments can be found throughout the specification, drawings, and originally filed claims, including page 6, lines 23-25, and Figure 11.

Claim 63 has been amended to replace the phrase “for use in a centrifuge for increasing average filtrate flow rate in a filtration well plate” with the phrase “wherein the device is a filtration well plate located in a centrifuge.” Support for this amendment can be found throughout the specification, drawings, and originally filed claims, including page 2, line 21 to page 3, line 5 and page 4, lines 8-11.

Claim 69 has been amended to correct an inadvertent typographical error. Specifically, the word “centrifuge” was replaced by the word “device.”

No new matter has been added.

Rejection of Claims 41, 43-45, 50-61, 63, and 72-74 under 35 U.S.C. § 112

Claims 41, 43-45, 50-61, 63, and 72-74 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the Applicants regard as their invention.

The Examiner rejected Claim 41 because it recited a fluid filtering device comprising “at least three membranes...at different angles with respect to a major plane,” but later stated that an angling mechanism sets the angle of “one or more” of the membranes. Claims 43-45, 50-61, 63, and 72-74 were rejected as being indefinite because they are dependent on Claim 41. The Examiner stated that Claim 63 was also indefinite because it was not clear what structural

limitation was present in this claim. The Examiner also found Claim 73 to be indefinite because it recited the phrase "at least two wells."

Without agreeing with the Examiner, and solely to advance prosecution, the Applicants have amended Claims 41, 63, and 73. Claims 41 and 73 have been amended to recite "at least three" membranes and "at least three" wells, respectively. Claim 63 has been amended to recite that the fluid filtering device is a filtration well plate located in centrifuge. The Applicants believe these amendments will satisfy the Examiner's concerns and respectfully request that the rejection be lifted and that the application be allowed to issue.

Information Disclosure Statement

A Supplemental Information Disclosure Statement (IDS) is being filed concurrently herewith. Entry of the IDS is respectfully requested.


CONCLUSION

Applicants have amended the Title and Claims 41, 63, 69, and 73. In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner believes that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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